

1      **JEFFREY B. SETNESS, ESQ.**  
2      Nevada Bar No. 2820  
3      **FABIAN VANCOTT**  
4      **601 South Tenth Street, Suite 204**  
5      **Las Vegas, Nevada 89101**  
6      Telephone: (702) 930-5728  
7      Facsimile: (877) 898-1168  
8      E-Mail: jsetness@fabianvancott.com

9  
10     *Attorneys for Defendant Darlene McCord*

11                   **UNITED STATES DISTRICT COURT**

12                   **DISTRICT OF NEVADA**

13     **UNITED STATES OF AMERICA,**

14     Plaintiff,

15     vs.

16     **DARLENE TAYLOR McCORD and**  
17     **JAMES BERT McCORD,**

18     Defendants.

19                   **CASE NO. 2:13-cr-00354-JCM-PAL**

20                   **JOINT MOTION TO EXTEND THE**  
21                   **TIME FOR FILING PRETRIAL**  
22                   **MOTIONS AND DISCLOSURE OF**  
23                   **EXPERT/SUMMARY WITNESSES**

24                   **(Tenth Request)**

25                   COMES NOW Plaintiff, UNITED STATES OF AMERICA, by and through its  
26                   attorneys, STEVEN MYHRE, Acting United States Attorney, J. PATRICK BURNS,  
27                   Assistant United States Attorney, and LISA CARTIER-GIROUX, Assistant United States  
1                   Attorney; Defendant DARLENE TAYLOR McCORD, by and through her attorney,  
2                   JEFFREY B. SETNESS, ESQ. of the law firm of FABIAN VANCOTT; Defendant  
3                   JAMES BERT McCORD, by and through his attorney, ROBERT M. McCALLUM, ESQ.  
4                   of the law firm LESOURD & PATTEN; and hereby files the following Joint Motion to  
5                   Extend the Time for Filing Pretrial Motions and Disclosure of Expert/Summary Witnesses  
6                   based upon the following:

7                   1. On April 12, 2017, the Court filed an Order (Doc. No. 70) which stated in  
8                   pertinent part that:

9                   //

1       1. The current deadline within which to file any and all pretrial  
2 motions; notices of defense; and disclose expert witnesses / summary witnesses of  
3 Friday, April 28, 2017 be vacated and continued to Friday, August 4, 2017.  
4

3       2. The current deadline in which to file any responses to said Motions  
4 of Friday, May 12, 2017 be vacated and continued to Friday, August 18, 2017.  
5

3       3. The current deadline in which to file any replies of Friday, May 19,  
4 2017 be vacated and continued to Friday, August 25, 2017.  
5

6       4. Calendar Call currently scheduled for Wednesday, May 31, 2017 at  
7 1:30 p.m. be vacated and continued to Wednesday, September 20, 2017 at 1:30  
p.m.  
8

9       5. Trial currently scheduled to commence on June 5, 2017 at 9:00 a.m.  
10 be vacated and continued to Monday, September 25, 2017 at 9:00 a.m. NO  
FURTHER CONTINUANCES WILL BE GRANTED ABSENT THE FILING OF  
A MOTION AND SHOWING OF GOOD CAUSE.  
11

12       2. The Parties have agreed on the general terms of a Plea Agreement, and the  
United States is currently in the process of drafting a Plea Agreement.  
13

14       3. In the unlikely event that a Plea Agreement is not reached, the Parties wish  
to preserve the right to file pretrial motions and disclose expert and/or summary witnesses.  
15

Based upon the foregoing, it is respectfully requested that:

16       1. The current deadline within which to file any and all pretrial motions;  
17 notices of defense; and disclose expert witnesses / summary witnesses of Friday, August  
18 4, 2017 be vacated and continued to Friday, August 18, 2017.  
19

20       2. The current deadline in which to file any responses to said Motions of  
Friday, August 18, 2017 be vacated and continued to Friday, September 1, 2017.  
21

22       3. The current deadline in which to file any replies of Friday, August 25, 2017  
be vacated and continued to Friday, September 8, 2017.  
23

24       4. Calendar Call remain scheduled for Wednesday, September 20, 2017 at  
1:30 p.m.  
25       //  
26       //  
27       //

1           5. Trial remain scheduled for Monday, September 25, 2017 at 9:00 a.m.

2 DATED this 3<sup>rd</sup> day of August 2017.

3 STEVEN MYRHE  
4 Acting United States Attorney

FABIAN VANCOTT

5 /s/ Patrick Burns  
6 PATRICK BURNS  
7 Assistant United States Attorney

5 /s/ Jeffrey B. Setness  
6 JEFFREY B. SETNESS  
7 *Attorneys for Defendant Darlene McCord*

8 /s/ Lisa Cartier-Giroux  
9 LISA CARTIER-GIROUX  
10 Assistant United States Attorney  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

8 /s/ Robert M. McCallum  
9 ROBERT M. McCALLUM  
10 *Attorneys for Defendant James B. McCord*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

VS.

**DARLENE TAYLOR McCORD and  
JAMES BERT McCORD.**

### **Defendants.**

CASE NO. 2:13-cr-00354-JCM-PAL

**[PROPOSED] ORDER GRANTING  
JOINT MOTION TO EXTEND THE  
TIME FOR FILING PRETRIAL  
MOTIONS AND DISCLOSURE OF  
EXPERT/SUMMARY WITNESSES**

10 Based upon the Joint Motion and GOOD CAUSE APPEARING, IT IS HEREBY  
11 ORDERED that:

12           1. The current deadline within which to file any and all pretrial motions;  
13 notices of defense; and disclose expert witnesses / summary witnesses of Friday, August  
14 4, 2017 be vacated and continued to Friday, August 18, 2017.

15           2. The current deadline in which to file any responses to said Motions of  
16 Friday, August 18, 2017 be vacated and continued to Friday, September 1, 2017.

17       3.     The current deadline in which to file any replies of Friday, August 25, 2017  
18     be vacated and continued to Friday, September 8, 2017.

19           4.     Calendar Call remain scheduled for Wednesday, September 20, 2017 at  
20           1:30 p.m.

21 ||| 5. Trial remain scheduled for Monday, September 25, 2017 at 9:00 a.m.

August 30, 2017

DATE

**JAMES C. MAHAN  
UNITED STATES DISTRICT COURT JUDGE**

**ORDER TO EXTEND THE TIME FOR FILING PRETRIAL MOTIONS AND  
DISCLOSURE OF EXPERT/SUMMARY WITNESSES**

**CERTIFICATE OF SERVICE**

In accordance with Rule 49(c) of the Federal Rules of Criminal Procedure and  
Rule 47-11 of the Local Rules of Practice of the United States District Court for the  
District of Nevada, I certify that I am an employee of FABIAN VANCOTT and that on  
this 3<sup>rd</sup> day of August 2017, I did cause a true copy of:

**JOINT MOTION TO EXTEND THE TIME FOR FILING PRETRIAL MOTIONS  
AND DISCLOSURE OF EXPERT/SUMMARY WITNESSES AND TRIAL DATE  
(Tenth Request)**

8 to be served via electronic service by the U.S. District Court CM/ECF system to the  
9 parties on the Electronic Filing System in this action.

By: /s/ Sara M. Adams  
An employee of FABIAN VANCOTT